

REMARKS

[0003] Applicant respectfully requests reconsideration and allowance of all of the claims of the application. Claims 1-7, 9-10 and 13-24 are presently pending. Claims amended herein are 1, 7, 14 and 19. Claims withdrawn or cancelled herein are 8, 11 and 12. There are no new claims added.

Statement of Substance of Interview

[0004] The Examiner graciously talked with me—the undersigned representative for the Applicant—on November 29th, 2007. Applicant greatly appreciates the Examiner's willingness to talk. Such willingness is invaluable to both of us in our common goal of an expedited prosecution of this patent application.

[0005] During the interview, I discussed how the claims differed from the cited art, namely Wright and Moore. Without conceding the propriety of the rejections and in the interest of expediting prosecution, I also proposed several possible clarifying amendments.

[0006] The Examiner was receptive to the proposals, and I understood the Examiner to indicate that the proposed clarifying claim amendments appeared to distinguish over the cited art of record. However, the Examiner indicated that she would need to review the cited art more carefully and/or do another search, and requested that the proposed amendments be presented in writing.

[0007] Applicant herein amends the claims in the manner discussed during the interview. Accordingly, Applicant submits that the pending claims are allowable over the cited art of record for at least the reasons discussed during the interview.

Formal Request for an Interview

[0008] If the Examiner's reply to this communication is anything other than allowance of all pending claims, then I formally request an interview with the Examiner. I encourage the Examiner to call me—the undersigned representative for the Applicant—so that we can talk about this matter so as to resolve any outstanding issues quickly and efficiently over the phone.

[0009] Please contact me or my assistant to schedule a date and time for a telephone interview that is most convenient for both of us. While email works great for us, I welcome your call to either of us as well. Our contact information may be found on the last page of this response.

Claim Amendments and Additions

[0010] Without conceding the propriety of the rejections herein and in the interest of expediting prosecution, Applicant amends claims 1, 7, 14 and 19 herein. Applicant amends claims to clarify claimed features. Such amendments are made to expedite prosecution and more quickly identify allowable subject matter. Such amendments are merely intended to clarify the claimed features, and should not be construed as further limiting the claimed invention in response to cited art.

Substantive Matters

Claim Rejections under § 103

[0011] Claims 1-24 are rejected under 35 U.S.C. § 103. In light of the amendments presented herein and the discussions during the Examiner interview, Applicant submits that these rejections are moot. Accordingly, Applicant asks the Examiner to withdraw these rejections.

[0012] The Examiner's rejections are based upon the following references alone and/or in combination:

- **Wright:** *Wright*; US Patent No. 7,024,501 (issued April 4, 2006);
- **Moore:** *Moore, et al.*; US Patent No 6,020,875 (issued Feb. 1, 2000)

Overview of the Application

[0013] The Application describes a technology for a multi-system game controller capable of operating in different USB (Uniform Serial Bus) modes so that it may be used with different types of host gaming systems. The game controller operates in a first USB mode with one set of operating parameters when attached to a first host gaming system, and in a second USB mode with another set of operating parameters when attached to a second host gaming system. The game controller is designed to determine to which host gaming system it is being connected, and to switch to the appropriate USB mode based on the determination.

Cited References

[0014] The Examiner cites Wright as the primary reference in the obviousness-based rejections. The Examiner cites Moore as the secondary reference in the obviousness-based rejections.

Wright

[0015] Wright describes a technology for implementing a wireless peripheral controller that is capable of connecting multiple game controllers to a game console across a communication port.

Moore

[0016] Moore describes a technology for transmitting force and motion in a mechanical system, and more particularly to mechanical interface devices for allowing humans to interface with computer systems.

Obviousness Rejections

Based upon Wright and Moore

[0017] The Examiner rejects claims 1-24 under 35 U.S.C. § 103(a) as being unpatentable over Wright in view of Moore. Applicant respectfully traverses the rejection of these claims and asks the Examiner to withdraw the rejection of these claims. Applicant submits that the rejections are not valid because, for each rejected claim, no reference discloses each element of that rejected claim

Independent Claim 1

[0018] The Examiner indicates (Action, p. 2-3) the following with regard to this claim:

Concerning claims 1, 7, 14 and 19, Wright recites, a multi-system video game controller for use with different host gaming systems that support different USB modes, the multi-system video game controller comprising [column 2, lines 44-55]; and a USB module, operatively coupled to the processor a communication interface to facilitate communication with the different host gaming systems [column 2, lines 34-55]; and a USB protocol module to utilize a first USB mode during communication with a first host gaming system [column 3, lines 40-53] and a second USB mode during communication with a second host gaming system [column 6, lines 4-25 and 51-61].

Wright teaches speed tradeoffs when selecting the appropriate wireless communication channel and the type of device being connected, therefore, there are different modes of speed when connecting the controller to the host system. Wright recites to facilitate communication and operate the controller in a first USB mode when the video game controller is connected to a first host gaming system and to facilitate communication and operate the controller in a second USB mode when the video game controller is connected to a second host gaming system [column 6, lines 4-25 and 51-61]. Wright teaches a video game controller, comprising: means for determining which of a first host gaming system or a second host gaming system is attempting to establish a USB connection with the video game controller [column 6, lines 65-67].

[0019] The Examiner then relies upon the Moore Reference to account for the deficiencies in Wright, stating that Moore discloses a controller that contains a processor and a memory operatively coupled to the processor. Moore does not disclose the claimed features addressed below.

[0020] Applicant respectfully traverses the elements rejected based on Wright, and submits that Wright does not show or disclose the following elements as recited in this claim as amended (with emphasis added):

- "the first and second host gaming systems ***are different types of host gaming systems***";
- "the USB protocol module is configured to ***automatically switch*** to the first USB mode if connected to the first host gaming system and to the second USB mode if connected to the second host gaming system";

[0021] In this Action, the Examiner cites Col. 2 Lines 44-55 for a "multi-system video game controller". However, the cited portion of Wright simply discloses that it is well known that there are a plurality of different types of host consoles (such as Xbox, Playstation, Gamecube, etc.) capable of communicating with a wireless devices used by a client in order to play a video game. The wireless devices are used to transmit commands that are received by a wireless peripheral controller, which is able to receive the control commands and transmit them to the host console.

[0022] Wright gives no disclosure of a "*single* multi-system video game controller for use with *a plurality of different types of host gaming systems*" as recited in amended claim 1. Wright discloses exemplary, multiple host consoles, each with their individual corresponding wireless devices used to send and accept commands to and from clients (players) of the video game. However, the disclosure of Wright is directed toward using only *one, single game console*, selected from the list of different types of host consoles. Furthermore, the game console disclosed in Wright is configured to detect a connection event, and in response is able to assign a unique device address to a newly connected USB device. This process can be repeated for multiple devices that are capable of being connected to the game console (multiple players). However, there is no disclosure in Wright that a single wireless client device (controller) can be used with a "plurality of different types of host gaming systems" as recited in amended claim 1. Applicant submits that independent claim 1, for at least the reasons explained above, distinguishes the claimed invention over Wright.

[0023] In addition, Wright also fails to disclose that "the USB protocol module is configured to ***automatically switch*** to the first USB mode if connected to the first host gaming system and to the second USB mode if connected to the second host gaming system." As stated above, the single game console in Wright is capable of detecting a connection event and assigning a unique device address to the newly connected USB device, but there is no teaching that the wireless devices in communication with the game console "automatically switch to a first USB mode" and "to a second USB mode" as recited in amended claim 1.

[0024] Additionally, Moore fails to account for the deficiencies in Wright as specified above. Furthermore, claims 14 and 19 have been amended to recite a claimed feature not disclosed by Wright as explained above, and are allowable for at least the same reasons as claim 1.

Dependent Claims 2-6, 15-18 and 20-24

[0025] Claims 2-6, 15-18 and 20-24 ultimately depend upon independent claims 1, 14 and 19. As discussed above, claims 1, 14 and 19 are allowable. It is axiomatic that any dependent claim which depends from an allowable base claim is also allowable. Additionally, some or all of these claims may also be allowable for additional independent reasons.

Independent Claim 7

[0026] In addition to the features explained above with respect to amended claim 1, independent claim 7 has also been amended to clarify additional novel features as follows:

- "a multi-mode USB interface that ***switches between different USB modes depending on the type of host gaming system***";
- "the first USB mode is a low speed USB mode associated with ***a console gaming system***";
- "the second USB mode is one of a full speed USB mode and a high speed USB mode associated with ***a personal computer***";
- "the USB module includes a host detector configured to detect an identifying request from a host gaming system and in response to the detection, ***determine whether the video game controller is connected to the first host gaming system or to the second host gaming system***"

[0027] Wright discloses nothing relating to switching "between different USB modes depending on the type of host gaming system", or that the "first USB mode is a low speed USB mode associated with a console gaming system" and "the second USB mode is one of a full speed USB mode and a high speed USB mode associated with a personal computer" as recited in amended claim 7.

[0028] Instead the system of Wright merely discloses that the device in communication with the single host console is a USB device, and further that selection of the appropriate wireless communication channel involves selecting

performance trade-offs among reliability, system speed, noise or interference, controller battery life, processing speed, power consumption, line of sight, and other system preferences. (Wright Col 3, Lin 40-53 and Col 6, Lin 4-8) Nowhere does Wright mention a "first USB mode" and a "second USB mode" as recited in claim 7.

[0029] Finally, since Wright does not "[switch] between different USB modes depending on the type of host gaming system", then there is no determination of "*whether the video game controller is connected to the first host gaming system or to the second host gaming system*" as recited in amended claim 7.

Dependent Claims 9, 10 and 13

[0030] Claims 9, 10 and 13 ultimately depend upon independent claim 7. As discussed above, claim 7 is allowable. It is axiomatic that any dependent claim which depends from an allowable base claim is also allowable. Additionally, some or all of these claims may also be allowable for additional independent reasons.

Additional Art

[0031] The Examiner provided an additional reference during the interview which was not cited in the Office Action. US Patent No. 6,279,906 to Sanderson et al. discloses a modular video game controller device that can be adapted to operate with any of a number of various video game platforms such as a PC-

based system or any of the commercially-available dedicated game consoles.
(Abstract)

[0032] In Fig 1 and 2 and Col 4, Lin 15-31, Sanderson discloses that a base unit (controller) can be connected to a variety of different video game playing devices. However, in order to do this, the base unit of Sanderson requires a different video game controller interface adapter implemented for each particular video game playing device.

[0033] The multi-system video game controller as recited in claim 1 for example includes a "USB protocol module configured to *automatically switch* to the first USB mode if connected to the first host gaming system and to the second USB mode if connected to the second host gaming system". In contrast, the interface adapters in Sanderson include modified circuitry to accommodate various electrical protocols used with each of the video game playing devices. So Sanderson requires utilization of separate adapters that interface between the various playing devices and the base unit. The controllers of Sanderson do not include a "USB protocol module configured to *automatically switch*" between USB modes as recited in claim 1.

Conclusion

[0034] All pending claims are in condition for allowance. Applicant respectfully requests reconsideration and prompt issuance of the application. If any issues remain that prevent issuance of this application, the **Examiner is urged to contact me before issuing a subsequent Action.** Please call/email me or my assistant at your convenience.

Respectfully Submitted,

Dated: 12/26/07

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